

3106 Youth Detention Center Educational Provisions

In accordance with Section 43-21-321 of the Mississippi Code of 1972 Annotated, educational provisions are required for all compulsory school age students detained in a youth detention center facility.

1. A certified teacher will provide educational services to detainees.
2. Teacher selection shall be in consultation with the youth court judge.
3. The sponsoring school district will pay the salary of the teacher, based upon actual certification, state (teacher) salary schedule and number of employment days.
4. The sponsoring school district in collaboration with the home school shall comply with the Individuals with Disabilities Education Act (IDEA) and comparable state laws for students with special needs.
5. After forty-eight (48) hours of detention, the detainee shall receive the following services which may be computer-based:
 - a) Diagnostic assessment of grade-level mastery of reading and math skills;
 - b) Individualized instruction and practice to address any weaknesses identified in the assessment; and
 - c) Character education to improve behavior.
6. The sponsoring school district shall work in collaboration with detention center staff to ensure that educational records have been obtained for any student that will be detained for more than 48 hours.
7. The sponsoring school district will provide instruction based on the academic needs of each detainee. When a youth has been receiving special education services in his/her school placement, and is admitted with an existing Individualized Education Program (IEP), it is the responsibility of the educational personnel at the detention center to ensure the continued implementation of the IEP with modifications, if needed, due to the nature of the youth's detainment.
8. The sponsoring school districts shall maintain and update the computer labs.
9. Students in the youth detention center shall not be classified as absent by the student's home school.
10. The sponsoring school district provides adequate substitute teaching staff to cover teaching duties of educational staff that are on sick or personal leave. The criteria for a substitute teacher shall be aligned with the district's policy for short and long term placement.

11. The sponsoring school district shall provide 330 minutes of instruction per school day.
12. The sponsoring school district shall identify students with limited English proficiency and provide appropriate instruction to ensure meaningful access to the curriculum.
13. An Individualized Academic Plan shall be written by the sponsoring school district for each student that has been detained for 10 days or more and forwarded to the students home school and is used as a transition component.
14. The Mississippi Department of Education will collaborate with the appropriate state and local agencies, juvenile detention centers and local school districts to ensure that educational services are provided to every student placed in a juvenile detention center.
15. The non-sponsoring school districts, that have students detained at a detention center, will share equally in the additional cost of educational services. Once the Legislature has allocated funding for educational services, provided by the state's detention centers, the Mississippi Department of Education will disseminate the funding based on the needs analysis submitted by each of the sponsoring school districts. Any remaining cost related to educational services, including the maintenance of computer labs, will be equally divided among the non-sponsoring school districts, or district of residence, of juveniles placed in a detention facility.
16. Related services provided for students with special needs may require additional reimbursement to the sponsoring school district from the student's home school or district of residence for services rendered.
17. The Mississippi Department of Education has the authority to develop and promulgate policies and procedures regarding educational programming.

Source: Miss. Code Ann. §43-21-321 (Revise 2/2015)

3106 Youth Detention Center Educational Provisions

In accordance with Section 43-21-321 of the Mississippi Code of 1972 Annotated, educational provisions are required for all compulsory school age students detained in a youth detention center facility.

1. ~~The local school district in the county in which the detention center is located, or a private provider agreed upon by the youth court judge and sponsoring school district shall provide a~~ A certified teacher will provide educational services to detainees. ~~{43-21-321(6)(p)}~~
2. Teacher selection shall be in consultation with the youth court judge. ~~{43-21-321(6)(e)}~~
3. ~~Teacher must be highly qualified. {MS Code 37-9-7} (NCLB and Federal Code)~~ The sponsoring school district will pay the salary of the teacher, based upon actual certification, state (teacher) salary schedule and number of employment days.
4. ~~The school district or private provider may be reimbursed the salary of the teacher, based upon actual certification, not to exceed 187 days. The reimbursement calculation will be determined by the amount appropriated annually by the state legislature which will be divided evenly amongst the seventeen sponsoring school districts. The sponsoring school district in collaboration with the home school shall comply with the Individuals with Disabilities Education Act (IDEA) and comparable state laws for students with special needs.~~
5. ~~School districts may pay the certified teacher assigned to the detention center according to the district level salary schedule; the district will be responsible for paying any amount in excess of the aforementioned amount. After forty-eight (48) hours of detention, the detainee shall receive the following services which may be computer-based:~~
 - a) Diagnostic assessment of grade-level mastery of reading and math skills;
 - b) Individualized instruction and practice to address any weaknesses identified in the assessment; and
 - c) Character education to improve behavior.
6. ~~The teacher assigned to the detention center is required to follow the sponsoring school district's school 187-day calendar. The sponsoring school district shall work in collaboration with detention center staff to ensure that educational records have been obtained for any student that will be detained for more than 48 hours.~~
7. ~~The sponsoring school district will provide instruction based on the academic or a private provider agreed upon by the youth court judge and sponsoring school district, shall be responsible for providing the necessary instructional program for students with special needs of each detainee. {43-21-321(6)(e)} After forty-eight (48) hours of detention, during the regular academic school year, the detainee shall receive the following services which may be computer based:~~

- a) Diagnostic assessment of grade-level mastery of reading and math skills;
- b) Individualized instruction and practice to address any weaknesses identified in the assessment; and
- e) Character education to improve behavior. {43-21-321(6)(p)}

When a youth has been receiving special education services in his/her school placement, and is admitted with an existing Individualized Education Program (IEP), it is the responsibility of the educational personnel at the detention center to ensure the continued implementation of the IEP with modifications, if needed, due to the nature of the youth's detention.

~~8. The Sponsoring school districts shall maintain and update the computer labs, work collaboratively with each detainee's home school and juvenile detention staff to provide special education services as required by state and federal law. {43-21-321(6)(o)} 9. When a youth has been receiving special education services in his/her public school placement, and is admitted with an existing Individual Education Program (IEP), it is the responsibility of the educational personnel at the detention center to ensure the continued implementation of the IEP with modifications, as may be necessary, due to the nature of the youth's detention. Children without an IEP should receive educational services with a curriculum that follows as closely as possible to the student's home school.~~

~~9. 10. A team consisting of a certified teacher provided by the local sponsoring school district or a private provider agreed upon by the youth court judge and sponsoring school district, the appropriate official from the home school district, and the youth court counselor or representative will develop an individualized education program for the detainee. The detainee's parent or guardian shall participate on the team unless excused by the youth court judge. Failure of any party to participate shall not delay implementation of this education program. {43-21-321(6)(q)} Students in the youth detention center shall not be classified as absent by the student's home school.~~

~~10. 11. The sponsoring school district provides adequate substitute teaching staff to cover teaching duties of educational staff that are on sick or personal leave. The criteria for a substitute teacher shall be aligned with the district's policy for short and long term placement. structure of educational provisions shall be determined by the aforementioned team of individuals.~~

~~11. 12. The Mississippi Department of Education will collaborate with the appropriate state and local agencies, juvenile detention centers and local school districts to ensure that educational services are provided to every student placed in a juvenile detention center. Educational services may include, but not be limited to: assessment in math, reading, character education and behavioral counseling. The educational structure shall be individualized for each detainee by the sponsoring school district shall provide 330 minutes of instruction per school day, in collaboration with the home school and juvenile detention center. {43-21-321(6)(s)}~~

12.13. The sponsoring local home school district shall identify students with limited English proficiency and provide appropriate instruction to ensure meaningful access to the curriculum. be defined as the school district where the detainee last attended prior to detention. {43-21-321(6)(o)}

13.14. For students detained ten days or more, during the normal academic school, will begin an extended educational program. {43-21-321(6)(q)} An Individualized Academic Plan shall be written by the sponsoring school district for each student that has been detained for 10 days or more and forwarded to the students home school and is used as a transition component.

14.15. The teacher assigned to the detention center shall participate in transition team meetings. {43-21-321(6)(w)} Mississippi Department of Education will collaborate with the appropriate state and local agencies, juvenile detention centers and local school districts to ensure that educational services are provided to every student placed in a juvenile detention center.

15. 16. Students in the youth detention center shall not be classified as absent. The non-sponsoring school districts, that have students detained at a detention center, will share equally in the additional cost of educational services. Once the Legislature has allocated funding for the educational services provided by the state's detention centers, the Mississippi Department of Education will disseminate the funding based on the needs analysis submitted by each of the sponsoring school districts. Any remaining cost related to educational services, including the maintenance of computer labs, will be equally divided among the non-sponsoring districts, or district of residence, of juveniles placed in a detention center.

16. 17. The sponsoring school district may request financial reimbursement from the home school of any student receiving educational services. The reimbursement shall be for the number of days, after the 10th day, that the student is detained excluding weekends and legal holidays. The amount shall not exceed the most current expenditure per pupil instructional cost, as determined by the Mississippi Department of Education, divided by the minimum number of school days. {43-32-321} Related services provided for students with special needs may require additional reimbursement to the sponsoring school district from the student's home school or district of residence for services rendered.

17. 18. The Mississippi Department of Education has the authority to develop and promulgate policies and procedures regarding educational programming. sponsoring school districts shall maintain and update the computer labs. {43-21-321(6)(r)}

Source: Miss. Code Ann. §43-21-321 (Revised 10/2011)